



UR – Urban Residential District

Section 7-8-25 – Unified Development Ordinance City of Asheville Zoning Districts

(a) *Purpose:* The Urban Residential District (URD) is established to complement existing residential neighborhoods by providing an improved diversity of housing types, scale, affordability, and character in areas where they can best be served by city services and infrastructure and is intended to be located on significant transit corridors and/or in high growth areas. The Urban Residential District is designed to provide new development and redevelopment opportunities that encourage urban scaled residential structures that relate to the street and character of Asheville's urban areas. While housing types that are economically viable and pedestrian oriented will be emphasized, a mix of other compatible activities, especially those that support residential uses within walking distance, will be permitted. It is also intended that this district enhance and maintain the transportation connectivity through the promotion of multi-use greenway paths, sidewalks, and public transit.

(b) *Permitted uses.*

- (1) All non-residential uses are restricted to first storey or ground level floor and shall not occupy more than 50 percent of the ground floor gross square footage.

Note: The balance of ground floor gross square footage can be used for common areas supporting the principal residential use.

- (2) Where a commercial use occupies the ground level, this use may be buffered by a non-residential office use on the remaining 50 percent of the ground level and on the second storey that is directly above the commercial use. Under no circumstances can the total non-residential use exceed 30 percent of the building's total square footage.

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Residential

- Dwellings, multi-family
- Dwellings, single family attached
- Dwellings, single family detached

Recreational

- Passive parks

Institutional

- Civic, social service, and fraternal facilities

Public/semi-public

- Community centers
- Fire and police stations (excluding protective services)
- Libraries
- Parks and greenways
- Post offices (no distribution centers)

Office/business

- Bakeries
- Barber shops and salons
- Bicycle shops
- Bookstores
- Candy, pastry, ice cream and snack shops
- Convenience stores (no gasoline sales)
- Delicatessens
- Florists
- Fruit and vegetable markets
- Gift shops
- Home occupations
- Laundry establishments
- Live-work units
- Offices
- Pharmacies
- Residential related commercial service
- Restaurants
- Retail sales
- Studios, galleries, and workshops for artists, craftspeople, designers, photographers
- Tailors/dressmaker shops
- Video rental stores

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(c) *Prohibited uses.*

Drive through establishments

Gasoline sales

Gated communities. This shall not include those gated communities lawfully established prior to June 12, 2007, or extend to those properties acquired as part of such communities prior to June 12, 2007, provided it can be demonstrated that these properties were included in a documented community masterplan.

Any use not specifically listed as a permitted use, use by right subject to special requirements, or a conditional use in the Urban Residential District is prohibited.

(d) *Uses by right, subject to special requirements.*

Adult day care centers

Adult day care homes

Assisted living facilities

Child day care centers

Child day care homes

Clinics, medical, dental, psychiatric, optical

Dwellings, single-family detached

Government buildings

Group homes

Schools

Telecommunication towers using concealed, wireless or microcell technology

Townhouses

Wireless telecommunication facilities, microcell, concealed, co-located.

(e) *Conditional uses.*

Level III projects incorporating uses permitted in the Urban Residential District.

Places of worship

(f) *Development standards.*

(1) Density standards. Maximum residential density shall be 32 units per acre.

(2) Landscape/Hardscape/Openspace:

These elements can strengthen the project usefulness and livability by building residents, office tenants and the overall community and can be either public or private in nature.

Hardscape features and courtyards can count towards open

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space requirements. Landscaping shall be provided as required by section 7-11-3 of this chapter. Street trees, awnings, arcades, seating areas and other pedestrian uses may be placed in the setback area or the public right of way with an approved encroachment agreement from the city or NC Department of Transportation as applicable.

- (3) *Building size:* Building size is limited to a maximum footprint of 10,000 square feet. The maximum total building floor area shall be 30,000 square feet.
- (4) *Lot size:*

Single family, attached:	1,800 square feet (min.)
	2,500 square feet (max.)
Single family, detached:	2,000 square feet (min.)
	3,500 square feet (max.)
Multi-family	3,500 square feet (min.)

Front and street side: Minimum zero feet and maximum 15 feet from right-of-way line, except as follows. Front and street sides adjacent to proposed Wilma Dykeman Riverway (currently, Swannanoa River Road, Thompson Street, Meadow Road, Lyman Street, and Riverside Drive) shall observe a build-to line consistent with the projected road-widening plan and/or limits of floodway designation; this line shall be determined by the planning and development director after consultation with the city engineer and may vary depending on the road segment affected by the widening plan. In appropriate circumstances, the planning and development director may increase the setback line from the right of way or build-to line based upon an assessment of topographic, flood hazard, significant existing vegetation, or other significant site constraints or features.

Side: None

Rear: None

- (6) *Height standards:* For multifamily development: Minimum 2 stories and maximum 4 stories with a maximum height of 54 feet. For single family development, the maximum height shall be 40 feet.

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- (7) *Impervious surface standards.* The maximum impervious surface coverage in the Urban Residential District shall be 90 percent. Where feasible, the pervious surface areas should be located at the lower sections of the site to intercept storm water runoff and provide opportunities for ground water recharge.
- (8) *Landscaping/buffering standards.* Landscaping and/or buffering shall be provided as required by section 7-11-3 of this chapter with the exceptions noted below. In the Urban Residential District, street trees may be provided in the front building setback or the street right of way (with an approved encroachment agreement) as a part of a streetscape plan that may be proposed or in place for the district.
- (9) *Parking/loading standards.* Parking and loading facilities shall be provided as required by section 7-11-2 of this chapter with the following additions:
- a. Parking shall be provided at the side or rear of the structure and not closer to the street than the face or edge of the structure; On corner lots, the side of the building that fronts on the secondary street is also considered a front or face of the building.
 - b. Parking may be provided in the street right of way adjoining the property as on-street parking with the approval of the city Traffic Engineer or the NC Department of Transportation. This parking may be applied towards the parking requirement when on-street parking is located within 500' of the main entrance except on streets where the primary uses are single family residential.
 - c. Uses in the Urban Residential District are permitted a 50 percent reduction in the minimum number of parking spaces required by section 7-11-2 of this chapter provided that a walking amenity and bike racks are provided (walking amenities may include but are not limited to public courtyards, drinking water fountains, benches, shade structures, pocket green spaces and public access restrooms).
 - d. Shared and remote parking is encouraged and may count for up to 100% of the required parking so long as the parking is within 500 feet of the property. Parcels that are

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sharing parking areas or providing remote parking shall bring the parking lots into compliance with parking and landscaping requirements found in article 11, at a minimum, the area that is provided as a part of the shared use. Rules requiring that shared and remote parking areas must be found in the same zoning classification are waived in the Urban Residential District. Residentially zoned areas may not be used to provide shared or remote parking for this district except that non-residential uses in residential districts may be used. Parcels will require a recorded agreement for the shared or remote parking arrangement.

- e. Parking structures may be provided as a secondary use in meeting a project's parking requirements. Parking decks are not exempt from the design guidelines. Particular attention shall be placed in the design and programming of the base of parking decks. On primary streets which strive for pedestrian continuity, the first story shall be masked by a habitable liner building and the decks above shall be screened from view by a designed facade consistent with the overall building design.
- (10) *Sidewalk standards.* Sidewalks shall be required for all projects with street frontage in accordance with City standards. In addition, sidewalk connections may be required to ensure and provide a safe passageway for pedestrians and patrons to maneuver through the parking area to the entrance of the businesses. If internal cross-access is provided between businesses and parcels, then sidewalks shall be also provided along accessways as needed to insure pedestrian connectivity.
- (11) *Open space standards.* Open space shall be provided as required by the requirements found in section 7-11-4 of this chapter with the addition that all uses (projects) exceeding 10,000 square feet of gross floor for commercial projects or 8 residential units are required to comply. Sidewalk spaces featuring public-pedestrian amenities, outside dining facilities, courtyards and pocket parks are supported and shall count towards open space requirements.
- (12) *Design and operational standards.*
- a. *Orientation.* The front of the building shall be orientated towards the primary access corridor. Building sides should appear similar to their fronts. On corner lots the building or

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portions of the building must be located at the street corner respecting setback standards unless prohibitive terrain issues are present.

- b. *Entrances.* All buildings shall include a well-defined operable entrance at regular intervals not exceeding 45 feet on each primary facade to encourage access by pedestrians. Secondary entrances may face second tier streets, driveways or parking areas. Buildings on corner lots may place the entrance at the corner, eliminating the need for dual entrances.
- c. *Facades.* When new building facades will be wider than 45 feet, the facade surface shall be subdivided into portions not exceeding this distance by varying setbacks, roof forms, or adding design details such as pilasters or other architectural treatments.
- d. *Openings on a facade.* The openings on a facade shall remain within a void-to-solid ratio of not more than 45 percent with each facade measured independently. The void-to-solid ratio of the facade includes windows, balconies, arcades, loggias, and galleries. The void-to-solid calculations shall not be applied to, nor include, non-residential uses located on the first floor.
 - 1. *Windows.* When a non-residential use is located on the first floor, storefront windows shall be evenly distributed at pedestrian level across the length of the facade on the first floor of the building. All storefront windows shall be transparent or lightly tinted and shall not appear false or applied. Windows shall make up at least 60 percent of the area of the street facing first story facade. Upper floors shall have windows evenly distributed across the facade that may differ in size and proportion from the street level windows. Upper story windows shall make up at least 25 percent of the wall surface. Under no circumstances shall the upper floor windows be installed flush with the outer surface of the facade. All windows, except storefronts, shall be operable as hung or casement. Window sills should be provided, and lintels may be shown. Windows are also required along the sides of structures that are visible from roadways or have parking located adjacent to them.

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2. *Balconies.* Balconies shall be used in moderation and shall be integrated into the overall composition of the facade. Balconies shall not be implemented in a monotonous or repetitive configuration. This pertains to both indented balconies (loggias) and to cantilevered ones. Cantilevered balconies shall extend no more than three feet from the building facade and shall be visibly supported by brackets. In the case of balconies that are nearly flush with the facade and associated with inwardly swinging doors (French balconies) there may be as many balconies as there are doors.
3. *Arcades, loggias, and galleries.* Arcades, loggias, and galleries shall have columns and piers of a width and depth proportion to the height of the element with a width-to-height ratio of between 1:6 and 1:8 but in no case less than 16 inches wide. Arcades and galleries shall overlap the front sidewalk to within eighteen inches of the curb. The interior passage of the arcades/galleries should be a minimum of 12 feet deep with a min. of 14 feet clear from sidewalk to ceiling.
- e. *Rooftop machinery.* The location and masking of rooftop machinery shall be as consciously designed as any other aspect of the building. Adequate parapets shall mask any negative impact from street level, as well as horizontally from adjacent buildings.
- f. *Signage.* See article 13 of this chapter for sign allowance in this district.
- g. *Variances.* Requests for variances of the design and operational standards set forth in this subsection 12 may be granted by the Asheville Planning and Zoning Commission, which is hereby designated to perform the duties of a board of adjustment for this purpose. Requests for variances shall be submitted to the planning and zoning department and considered by the planning and zoning commission at their next available regularly scheduled meeting.

(13) *Access and connectivity standards.* As determined by the

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director of planning and development, sites that are of sufficient size, location and are topographically workable, require a network of internal streets and driveways. Shared access and cross-access with adjoining properties instead of access from the corridor is required where practical to improve and sustain the capacity of the corridor, reduce the number of curb cuts, ensure driver and pedestrian safety, improve the unity of the streetscape, and encourage trip chaining and pedestrian mobility. Stub out connections to neighboring parcels may be constructed if cross access is not available at time of permit approval.

- (14) *Emergency wireless communications.* Communication requirements shall be provided as required by section 7-11-9 of this chapter.

(Ord. No. 3028, § 1, 5-27-2003; Ord. No. 3052, § 1(b), 8-26-03; Ord. No. 3156, § 1, 8-24-04; Ord. No. 3272, § 1(b), 7-26-05; Ord. No. 3262, § 1(c), 7-12-05; Ord. No. 3362, §§ 1(a), (b), 5-23-06; Ord. No. 3394, § 1(a), 9-26-06; Ord. No. 3483, § 1(b), 6-2-07; Ord. No. 3583, § 1(a), 2-12-08; Ord. No. 3643, § 1b, 7-22-08)